

REMARKS

The following remarks are believed responsive to the points raised by the Office Action dated August 19, 2004. In view of the following remarks, reconsideration is respectfully requested.

The Pending Claims

Claims 1-18 remain pending.

Allowable Subject Matter

Applicant is pleased to note that the Office Action indicates that claims 3-6, 8-11, and 13-17 are allowable if rewritten in independent form including the limitations of the respective base claims and any intervening claims.

The Office Action

For convenience, the following remarks will address the various comments and rejections in the same order they were raised in the Office Action.

The Office Action requested that the Applicant check and correct minor errors in the specification. A change has been made in the specification to correct a minor typographical error. This change is essentially editorial in nature and does not constitute the addition of new matter.

As requested by the Examiner, the specification has been checked to ensure that all reference characters in the figures are described in the specification, and vice versa. Reference characters in Figures 1 and 3 have been corrected to include the reference character 200. Reference character 200 refers to the receptacle, as supported on page 7, lines 1-13 of the specification. Replacement drawings are enclosed.

Claims 1, 2, 7, 12, and 18 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,077,555 to Dotan (hereinafter, "Dotan"). This rejection is respectfully traversed.

The Office Action indicated that all of the limitations of the rejected claims are structurally met by Dotan. Applicants respectfully disagree. Several of the elements of claim

1, the only independent claim, are not disclosed by Dotan, and thus, the rejection under 35 U.S.C. § 102 cannot be maintained.

For example, claim 1 is directed toward a cooking appliance comprising, *inter alia*, “first and second adjacent baskets.” Dotan does not disclose “first and second baskets.” The appliance disclosed in Dotan has only a single basket (see Figure 1 and col. 3, lines 5-6: “A receptacle 10 . . . is provided with a removable screen basket 11” (emphasis added). Moreover, the basket is consistently referred to only in the singular: (see, for example, col. 4, lines 22-23: “Screen basket 11 is conveniently removable; see also, col. 3, lines 6-11 referring three times to receptacle 10 and “its” screen basket 11).

In addition, the cooking appliance defined in claim 1 includes first and second baskets that are “supported in the container for unitary rotation about a substantially horizontal axis.” Dotan does not disclose such a configuration. In Dotan, which only discloses a single basket as noted above, the basket is stationary within the receptacle (see col. 3, lines 5-6) and nowhere is it disclosed that this single basket is supported in the container for unitary rotation about a substantially horizontal axis. Rather, the basket remains stationary and a paddle 15 is pivotably mounted within receptacle 10 (col. 3, lines 22-25).

Furthermore, the cooking appliance defined in claim 1 comprises, *inter alia*, baskets that are “openable from a closed food-containing configuration.” Dotan does not disclose such a structure. Dotan merely discloses that its *housing* is closed by a cover (see col. 2, lines 62-65) and that its screen basket is “of a semi-cylindrical configuration, *open at the top*” (see col. 3, lines 6-8 (emphasis added)). However, nowhere does Dotan disclose that its *basket* is ever closed, or that it is *openable*.

Since, for the reasons set forth above, Dotan fails to disclose each and every limitation of claim 1, the rejection of claim 1, as well as dependent claims 2, 7, 12 and 18, under 35 U.S.C. § 102 is improper. Reconsideration of the rejection is respectfully requested.

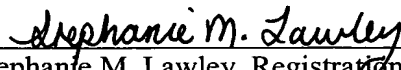
Conclusion

In view of the remarks recited herein, the application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue.

In re Appln. of John Ying Man WONG
Application No. 10/768,162

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,


Stephanie M. Lawley, Registration No. 55,362
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: 11-16-04
SML/JMJ:ves

AMENDMENTS TO THE DRAWINGS

The attached sheets include changes to Figures 1 and 3. These sheets, which include Figures 1 – 3, replace the original sheets including Figures 1 – 3.

Reference characters in Figures 1 and 3 have been corrected to include the reference character 200 that refers to a receptacle, as described at page 7, lines 1-13 of the specification.

Attachment: Replacement Sheet(s)